

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

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UNITED STATES OF AMERICA

- v. -

GERARD SCPARTA,

Defendant.

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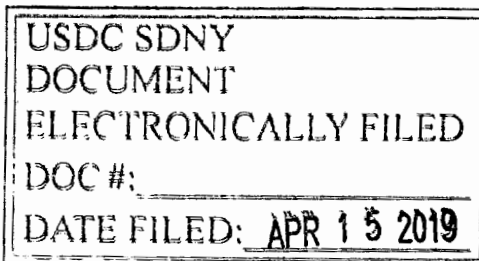
SUPERSEDING INFORMATION

S1 18 Cr. 578 (AJN)

COUNT ONE  
(Theft of Public Funds)

The United States Attorney charges:

1. From at least in or about 1997 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, GERARD SCPARTA, the defendant, embezzled, stole, purloined, and knowingly converted to his use and the use of others, and without authority, sold, conveyed, and disposed of records, vouchers, money, and things of value of the United States and a department and agency thereof, to wit, the United States Social Security Administration ("SSA"), which exceeded the sum of \$1,000, and received, concealed, and retained the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined, and converted, to wit, SCPARTA



fraudulently obtained approximately \$638,586 in Social Security disability benefits to which he was not entitled.

(Title 18, United States Code, Sections 641 and 2.)

COUNT TWO  
(False Statements)

The United States Attorney further charges:

2. From at least in or about 1997 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, GERARD SCPARTA, the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, to wit, SCPARTA submitted applications for and reports relating to Social Security disability benefits in which he falsely stated, among other things, that he was disabled, could not work, and had no earnings, when in fact he worked as a security guard and host at a strip club located in Manhattan, New York (the "Strip Club") from in or about April 2004 through at least in or about December 2017, earning a total of over approximately \$1.6 million.

(Title 18, United States Code, Sections 1001(a) and 2.)

COUNT THREE  
(False Statements in Connection with Social Security Disability  
Benefits)

The United States Attorney further charges:

3. From at least in or about 1997 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, GERARD SCPARTA, the defendant, made and caused to be made false statements and representations of a material fact in an application for payment and for a disability determination under Subchapter II of Chapter 7 of Title 42 of the United States Code (the "Subchapter"), and made and caused to be made false statements and representations of a material fact for use in determining rights to payment under the Subchapter, to wit, SCPARTA submitted applications for and reports relating to Social Security disability benefits in which he falsely stated, among other things, that he was disabled, could not work, and had no earnings, when in fact he worked as a security guard and host at the Strip Club from in or about April 2004 through at least in or about December 2017, earning a total of over approximately \$1.6 million.

(Title 42, United States Code, Sections 408(a)(2) and (a)(3);  
Title 18, United States Code, Section 2.)

COUNT FOUR  
(Tax Evasion)

The United States Attorney further charges:

4. From at least in or about 2012 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, GERARD SCPARTA, the defendant, willfully and knowingly did attempt to evade and defeat the payment of a substantial part of the income taxes due and owing by SCPARTA to the United States of America for the tax years 2012 through 2016, by various means, including, among others, concealing and attempting to conceal from the Internal Revenue Service ("IRS") the nature and extent of his income by utilizing a nominee company registered to his wife to report income SCPARTA earned from the Strip Club and falsely underreporting that income by a total of approximately \$268,602 for the tax years 2012 through 2016.

(Title 26, United States Code, Section 7201; Title 18 United States Code, Section 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offense alleged in Count One of this Information, GERARD SCPARTA, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that

constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Assets Provision**

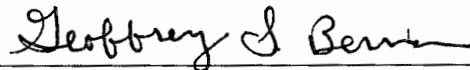
6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States

Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981, Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.)



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GEOFFREY S. BERMAN DSN  
United States Attorney.

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INFORMATION

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(18 U.S.C. §§ 641, 1001, and 2;  
26 U.S.C. § 7201; 42 U.S.C. § 408.)

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GEOFFREY S. BERMAN  
United States Attorney.

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